

## The David J. Joseph Company

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May 27, 2005

Mr. Vernon Williams Recordations Unit Surface Transportation Board 1925 K Street, N.W. Suite 715 Washington, DC 20423-0006 RECORDATION NO. 21948-I

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SURFACE TRANSPORTATION BOARD

Dear Mr. Williams:

Please find enclosed, two (2) originals of a Partial Release of Lien dated May 27, 2005 between the following two parties:

Lessee:

Ohio Central Railroad, Inc.

136 South Fifth Street Coshocton, OH 43812

Lessor:

The David J. Joseph Company (f/k/a Joseph Transportation Services)

300 Pike Street

Cincinnati, OH 45202

This filing is to appear in index as follows: Partial Release of Lien effective as of November 30, 2003 related to fourteen (14) railcars bearing reporting marks CUOH 34629 – CUOH 38592, sporadic and OHCR 6114 – OHCR 6119, inclusive.

Please file this agreement as a secondary document under Recordation 21948-I as it relates to documents previously filed with the Surface Transportation Board under Recordation Number 21948 through 21948-H. The filing fee in the amount of \$33.00 is included in the enclosed check. Please return one stamped original to my attention.

Should you have any questions or need further information, please do not hesitate to contact me at (513) 419-6082.

Sincerely,

The David J. Joseph Company

Barbara A. Brzezicki Contract Manager

**Enclosures** 

RECORDATION NO. 21948-L

## PARTIAL RELEASE OF LIEN OF RAILROAD EQUIPMENT MASTER LEASE

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**SURFACE TRANSPORTATION BOARD** 

This Partial Release of Lien of Railroad Equipment Master Lease (the "Release") releases the lien created by that certain Lease (the "Lease"), filed under Recordation Nos. 21948-E, 21948-F and 21948-G between The David J. Joseph Company (f/k/a Joseph Transportation Services, Inc.) as Lessor ("Lessor") and Ohio Central Railroad, Inc., as Lessee ("Lessee"), with respect to fourteen (14) railcars described in Exhibit A attached hereto (hereinafter, the "Equipment").

WHEREAS, there has been a partial return of Equipment from the Lessee to the Lessor, and by such act, all interest of the Lessee, its successors and assigns, in the Equipment arising pursuant to the Lease has been terminated on the Equipment.

NOW, THEREFORE, in consideration of the premises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Lessor submits the following:

- 1. The Lease was terminated for the fourteen (14) railcars on November 30, 2003.
- 2. All interest of the Lessee, its successors and assigns, in the Equipment arising pursuant to the Lease has been terminated.
- 3. The Lessor hereby releases any lien created by or arising out of the Lease.
- 4. This Release shall be recorded with the Surface Transportation Board so as to record the partial release of the lien against the Equipment constituted by the Lease described in Exhibit A and filed under Recordation Nos. 21948-E, 21948-F, 21948-G.

In witness whereof, the Lessor has caused this Release to be duly executed by its authorized officer as of the 27<sup>th</sup> day of May, 2005.

WITNESS:	THE D	AVID J. JOSEP	H COMPANY
Bulana a. Br. )	Ву:	went 1	Mant
	Name:	Everett N. Mar	tin
,	Title: _	Assistant Secr	etary

STATE OF OHIO	)	
	)	SS
COUNTY OF HAMILTON	)	

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of May, 2005, by Everett N. Martin, the Assistant Secretary of The David J. Joseph Company, a Delaware corporation, on behalf of the corporation.

My Commission expires:

200 (φ ★ BARBARA A. BRZEZICKI Notary Public, State of Ohio

Notary Public

My Commission Expires February 20, 2006

## EXHIBIT A DESCRIPTION EQUIPMENT

Fourteen (14), railcars bearing reporting marks as follows:

CUOH 34629

CUOH 34670

**CUOH 37027** 

**CUOH 38413** 

CUOH 38446

CUOH 38500

CUOH 38579

CUOH 38592

OHCR 6114

OHCR 6115

**OHCR 6116** 

OHCR 6117

**OHCR 6118** 

OHCR 6119